

**ORDINANCE NO. 1567**

**AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON** relating to the City's Buildings and Construction Code, and amending DMMC 14.08.150, the International Property Maintenance Code.

**WHEREAS**, the failure of some commercial and multi-family property owners to adequately maintain the exteriors of their buildings creates the appearance of neglect and makes these and surrounding properties less attractive and commercially viable, and

**WHEREAS**, the City lacks an enforcement mechanism to encourage these commercial property owners to properly maintain their properties, and

**WHEREAS**, the IPMC allows for the adoption or exclusion of specific chapters and sections based on a community's individual characteristics and also specifically seeks a decision from local jurisdictions on a number of issues, and

**WHEREAS**, the City Council finds that the amendments contained in this Draft Ordinance increase public safety by ensuring current building regulations and further the Council's vision of attractive development in the City, now therefore,

**THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:**

**Sec. 1.** DMMC 14.08.150 and section 40 of Ordinance No. 1407 are amended to read as follows:

**International Property Maintenance Code (IPMC) amended.** All references to the International Property Maintenance Code (IPMC) in this chapter shall refer to the current edition of the IPMC as adopted by section 101.4.4 of the International Building Code (IBC) as presently constituted or as may be subsequently amended, added to, or excepted.

The IPMC is hereby amended, added to, and excepted as follows:

(1) References to an appeal of an administrative action regarding this chapter shall be in accordance with the City of Des Moines Hearing Examiner Code, chapter 18.94 DMMC, or with procedures set forth in chapter 1.24 DMMC for civil infractions or chapter 1.28 DMMC for civil violations and penalties.

(2) The following sections of the IPMC, or the corresponding section of any updated or amended version of the IPMC, are removed in their entirety and not adopted:

111	Means of Appeal
302.2	Grading and Drainage
302.5	Rodent harborage
302.8	Motor vehicles
302.9	Defacement of property
304.2	Protective treatment
304.13.2	Openable windows
304.14	Insect screens
304.15	Exterior Doors
304.17	Guards for basement windows
304.18	Building security
305.3	Interior surfaces
305.6	Interior doors
307	Rubbish and Garbage
308	Extermination
404.4.1	Room area
404.5	Overcrowding

404.6	Efficiency unit
604.2	Electrical appliance service

(3) That portion of section 103.5 of the IPMC, or the corresponding section of any updated or amended version of the IPMC, that is left for the decision of the local jurisdiction shall read as follows:

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the City Manager.

(4) That portion of section 302.4 of the IPMC, or the corresponding section of any updated or amended version of the IPMC, that is left for the decision of the local jurisdiction shall read as follows:

All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12") inches. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs, provided; however, this term shall not include cultivated flowers and gardens.

(5) That portion of section 304.2 of the IPMC, or the corresponding section of any updated or amended version of the IPMC, that is determined by the City shall read as follows:

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, roofs, decks and fences, of commercial properties and multi-family

residences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(6) Section 304.9 states:

All overhang extensions, including but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition.

**Sec. 2. Severability - Construction.**

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

(2) If the provisions of this ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this ordinance is deemed to control.

**Sec. 3. Effective date.** This Ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.


**PASSED BY** the City Council of the City of Des Moines this 27th day of June, 2013 and signed in authentication thereof this 27th day of June, 2013.

  
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M A Y O R

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Assistant City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Published: July 2, 2013

Effective Date: July 27, 2013

LEGAL NOTICE  
SUMMARY OF ADOPTED ORDINANCE  
CITY OF DES MOINES

ORDINANCE NO. 1567, Adopted June 27, 2013.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to the City's Buildings and Construction Code, and amends DMMC 14.08.150, the International Property Maintenance Code.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins  
City Clerk

Published: July 2, 2013